

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Currently Amended) An embolus extractor, comprising:

an elongate shaft having a proximal end and a distal end;

first and second struts, each strut having a proximal end and a distal end coupled to the distal end of the shaft, the struts having a first position and a second position;

wherein in the first position, the distal ends and the proximal ends of the struts are spaced at a first distance, and in the second position the distal ends and the proximal ends of the struts are spaced at a second distance, the second distance being less than the first distance, and wherein in the second position the proximal ends of the struts form an open, generally circular mouth that is eccentric with respect to the shaft; and

wherein the struts can rotate about the elongate shaft.

2. (Original) An embolus extractor in accordance with claim 1, further comprising a sleeve slidably coupling the distal ends of the struts to the shaft.

3. (Original) An embolus extractor in accordance with claim 1, further comprising a sleeve slidably coupling the proximal ends of the struts to the shaft.

4. (Original) An embolus extractor in accordance with claim 1, wherein in the first position, the struts are disposed generally parallel to and adjacent the shaft.
5. (Cancelled)
6. (Previously Presented) An embolus extractor in accordance with claim 1, wherein the struts extend generally distally from the mouth to define a generally distally tapering body.
7. (Previously Presented) An embolus extractor in accordance with claim 1, wherein the proximal portion of the struts forming the mouth extend from the shaft at an angle of between  $45^{\circ}$  to  $90^{\circ}$  relative to the length of the shaft.
8. (Previously Presented) An embolus extractor in accordance with claim 7, wherein the proximal portions of the struts forming the mouth extend from the shaft at an angle of between  $60^{\circ}$  to  $90^{\circ}$  relative to the length of the shaft.
9. (Previously Presented) An embolus extractor in accordance with claim 8, wherein the proximal portions of the struts forming the mouth extend from the shaft at an angle of between  $80^{\circ}$  to  $90^{\circ}$  relative to the length of the shaft.
10. (Original) An embolus extractor in accordance with claim 1, wherein the struts include a shape memory metal.

11. (Original) An embolus extractor in accordance with claim 10, wherein the shape memory metal includes a NiTi alloy.

12. (Original) An embolus extractor in accordance with claim 1, further comprising a third strut coupled to the shaft, the third strut having a transverse cross sectional area; wherein the first and second struts each have a transverse cross sectional area greater than the transverse cross sectional area of the third strut.

13. (Cancelled)

14. (Previously Presented) The embolus extractor in accordance with claim 1, wherein the first and second struts can move independently of each other.

15. (Cancelled)

16. (Original) The embolus extractor in accordance with claim 1, wherein the struts can translate at least in part along the elongate shaft.

17. (Previously Presented) The embolus extractor in accordance with claim 1, wherein at least one strut includes a radiopaque material.

18. (Currently Amended) An embolus extractor, comprising:

an elongate shaft having a proximal end and a distal end;

a first strut having a proximal end and a distal end, the proximal end and the distal end of the strut being coupled to the shaft, the strut having a first position and a second position;

wherein in the first position, the distal end and the proximal end of the strut are spaced at a first distance, and in the second position, the distal end and the proximal end of the strut are spaced at a second distance being less than the first distance, and wherein in the second position, a proximal length of the strut defines an open, generally circular mouth that is eccentric with respect to the shaft; and

a second strut coupled to the shaft, the second strut having a transverse cross sectional area;

wherein the first strut has a transverse cross sectional area greater than the cross sectional area of the second strut.

19-29. (Cancelled)

30. (New) An embolus extractor, comprising:

an elongate shaft having a proximal end and a distal end;

first and second struts, each strut having a proximal end and a distal end coupled to the distal end of the shaft, the struts having a first position and a second position;

wherein in the first position, the distal ends and the proximal ends of the struts are spaced at a first distance, and in the second position the distal ends and the proximal ends of the struts are spaced at a second distance, the second distance being less than the first

distance, and wherein in the second position the proximal ends of the struts form an open, generally circular mouth that is eccentric with respect to the shaft; and wherein the struts can translate at least in part along the elongate shaft.

31. (New) The embolus extractor of claim 30, further comprising a sleeve slidably coupling the distal ends of the struts to the shaft.

32. (New) The embolus extractor of claim 30, further comprising a sleeve slidably coupling the proximal ends of the struts to the shaft.